

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**LUIS SANORA,**

**Defendant.**

**No. 07-30136-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is Defendant Luis Sanora's Motion for Extension of Time (Doc. 510). Specifically, Defendant asks for additional time in which to request additional discovery materials and for filing discovery motions. Defendant states that his attorney received eight CDs of discovery materials but has not had a chance to properly review those materials and determine whether additional discovery will be requested or whether Defendant will file pretrial motions. Based on the reasons set forth in the motion, the Court **GRANTS** Sanora's motion for extension of time (Doc. 510). Defendant Sanora will have up to and including **August 18, 2010** in which to request additional discovery materials from the Government. Further, Defendant will have up to and including **August 20, 2010** in which to file pretrial motions.

In extending the pretrial and discovery deadlines, the Court notes that the twenty-one days initially given to Defendant to complete discovery and file pretrial motions, as well as the additional time now given to Defendant, is excludable under

**18 U.S.C. § 3161(h)(7)(A)**. According to a recent Supreme Court decision, ***Bloate v. United States*, 130 S. Ct. 1345 (2010)**, delays resulting from pre-trial motion preparation is not automatically excludable under **18 U.S.C. § 3161(h)(1)**, but requires case-specific findings under **18 U.S.C. § 3161(h)(7)**. ***See Bloate*, 130 S.Ct. at 1352**. In light of the recent decision, the Court finds that the time granted to Defendant for preparation of pretrial motions and discovery is excludable under **18 U.S.C. § 3161(h)(7)(A)** as the ends of justice served by the granting of such a continuance outweigh the best interests of the public and Defendant in a speedy trial. To force a defendant to trial without adequate time to prepare would constitute a miscarriage of justice. Therefore, the Court notes that the time from the arraignment, July 21, 2010, until the date on which the time to file pre-trial motions ends, August 20, 2010, is excludable time for the purpose of speedy trial.

**IT IS SO ORDERED.**

Signed this 12th day of August, 2010.

/s/ David R. Herndon

**Chief Judge  
United States District Court**